

## **RWANDA (Tier 2)**

Rwanda is a source and, to a lesser extent, transit and destination country for women and children subjected to forced labor and sex trafficking. Rwandan girls and, to a lesser extent, boys are exploited in domestic servitude within the country; some of these children experience nonpayment of wages or physical or sexual abuse within their employer's household. Older females offer vulnerable younger girls room and board, eventually pushing them into prostitution to pay for their keep. In limited cases, trafficking is facilitated by women who supply other women or girls to clients or by loosely-organized prostitution networks, some operating in secondary schools and universities. Brothel owners reportedly supply girls in prostitution to clients staying at hotels. Children in Rwanda-based refugee camps are victims of trafficking to Uganda and Kenya at the hands of other refugees. Rwandan women and children also are recruited and transported to Kenya, Uganda, Democratic Republic of the Congo (DRC), Tanzania, Burundi, Zambia, South Africa, Europe, China, and the United States, where they are subjected to forced agricultural and industrial labor, domestic servitude, and prostitution. Small numbers of women and children from neighboring countries and Somalia are victimized in prostitution and forced labor after being lured to Rwanda. A limited number of foreign nationals are moved through Rwanda to be exploited in third countries.

The Government of Rwanda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government referred sex trafficking victims to protective services, continued its provision of short-term care and rehabilitative services to child ex-combatants, trained more police officers as gender-based violence specialists, and created a special court to hear cases involving international crimes, including human trafficking. Rwanda remains the only African country in which the government is undertaking virtually all activities related to the demobilization and reintegration of former child soldiers, some of whom are trafficking victims. The government prosecuted at least two trafficking offenders under its child kidnapping law, but failed to convict any trafficking offenders. The police continued to hold some trafficking victims in detention without connection to a charge. While the government continued to make women's and children's rights a high priority, it did not provide the resources to adequately investigate suspected labor violations.

**Recommendations for Rwanda:** Enact draft legislation that would create an easily understandable legal regime with clear definitions of human trafficking and enforce it once it becomes law; enforce the anti-trafficking provisions in the 2009 labor law through increased investigations and prosecutions of trafficking offenders; increase the number of labor inspectors and resources available to them; utilize judicial police specifically trained on gender-based violence to supplement the national police's anti-trafficking unit and government's labor inspectors; establish a system to assist foreign trafficking victims with relief from deportation; ensure central government funds sent to districts for labor inspection programs are allocated to such programs; and build capacity to screen for trafficking victims at child transit centers

through increased collaboration between the police and the Ministry of Gender and Family Promotion or NGOs.

## **Prosecution**

The government demonstrated some improvements in its anti-trafficking law enforcement efforts during the reporting period, as it prosecuted trafficking offenders and trained additional police officers in trafficking-related topics. It failed, however, to convict any traffickers. Article 28 of the Law on Prevention and Punishment of Gender-Based Violence (Law No. 59/2008) outlaws, but does not define, sex trafficking and prescribes sufficiently stringent punishments of 15 to 20 years' imprisonment, penalties that are commensurate with those prescribed for other serious offenses, such as rape. Article 8 of the Law Regulating Labor in Rwanda (13/2009) prohibits forced labor and Article 167 prescribes sufficiently stringent punishments of three to five years' imprisonment; Article 72 prohibits subjecting children to slavery, child trafficking, debt bondage, forced labor, armed conflict, and child prostitution and Article 168 prescribes punishment of six months to 20 years' imprisonment for these offenses. In May 2010, the government completed the draft revisions to the penal code that contain articles defining and prohibiting all forms of human trafficking, which will address the police's and prosecutors' common complaint regarding the current difficulty in prosecuting and punishing someone suspected of trafficking offenses under the current legal code; the entire draft code remained under consideration at the end of the reporting period. In February 2012, the government created a special court for international crimes, which will hear human trafficking cases after the government approves the revised penal code. The special court will allow foreign judges to rule on proceedings, thereby encouraging other governments to extradite suspects to Rwanda by giving them equity in the case.

The Rwandan National Police (RNP) registered seven cases of human trafficking in 2011, though it did not provide information on the outcome of these cases. The RNP's four-person anti-trafficking unit assisted in the investigations of these cases. The National Public Prosecution Authority (NPPA) maintained two specially-designated prosecutors to coordinate all cases related to human trafficking. It investigated one case of slavery and 16 cases of child kidnapping in 2011; among those, 10 child kidnapping cases were pending before the courts at the end of 2011, with seven cases remaining under investigation. The NPPA reported that at least two of the kidnapping cases were child trafficking. In January 2012, several Congolese refugee children from the Nyabiheke refugee camp in Gatsibo District alleged that another refugee lured them to Uganda through enticements of jobs, only to be exploited in brothels; however, the government did not prosecute the case and Rwandan authorities reportedly did not sufficiently investigate these allegations. Neither the NPPA nor the RNP provided information regarding cases pending at the close of the previous reporting period. Labor inspectors issued warnings and levied fines against those illegally employing children, but the government reported only one investigation of slavery and did not report investigating or prosecuting any additional cases of forced labor during the year. Each of Rwanda's 75 police stations maintained a gender desk staffed by at least one judicial police officer. In late 2011, the RNP began training 150 new judicial police officers

as gender-based violence (GBV) specialists, which will triple the number of anti-GBV officers who specialize in fighting the worst forms of child labor, as well as identifying and assisting victims of trafficking. An average of six judicial police officers specializing in serious crimes serve in each of Rwanda's police stations, and all such officers had undergone training on identifying and assisting victims of trafficking and investigating and prosecuting human trafficking cases.

## **Protection**

The government continued to offer an unparalleled level of care for former child combatants, but it provided inconsistent protective services to victims of sex or labor trafficking. The Rwandan Demobilization and Reintegration Commission (RDRC) – with funding from the World Bank, UNICEF, and the Governments of Germany, Japan, the Netherlands, and Sweden – continued operation of a center for child ex-combatants in Muhazi, which provided three months of care, including psycho-social counseling, to children returned from the DRC by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). The center provided services to 52 children in 2011, an increase from 47 in 2010. The RDRC worked with local authorities and an NGO to locate the children's families, and social workers sensitized families to their acceptance of the child's return. By the end of 2011, RDRC staff had reunited 21 children with relatives, with 28 still residing at the center as of October 2011. In 2011, the government provided an unknown amount of funding to support eight private or NGO-run child rehabilitation centers that afforded over 200 street children – some of whom were trafficking victims – with shelter, basic needs, and rehabilitative services.

During the year, police identified and referred an unknown number of sex and labor trafficking victims to the Isange Center, a one-stop holistic facility within the Kaciryu police hospital in Kigali that provided medical exams, counseling, short-term shelter, and police, medical, and legal assistance to victims of gender-based violence, including child domestic workers and children in prostitution. In a notable improvement over the previous year, social workers received all individuals arriving at the center and followed a set of questions to identify potential cases of trafficking. The social workers' initial determinations guided the treatment provided by the holistic center. During the reporting period, the RNP began outfitting its three other police hospitals with similar centers. Judicial police officers encouraged victims to participate in the investigation and prosecution of trafficking crimes and interviewed victims at the Isange Center, or elsewhere if they were not referred to the center; these initial statements could stand as testimony if victims did not wish to appear in court. The standardized checklist used by police when working with victims required securing medical, social, and counseling services; the presence of a victim's advocate during investigations; and referrals of victims to NGOs, religious entities, or community groups for further assistance. The police headquarters in Kigali continued operating a hotline for reporting GBV crimes and received several calls reporting cases of human trafficking in 2011.

The government operated three transit centers for screening and referring street children, some of whom were victims of domestic servitude or prostitution, to longer-term care facilities. The Ministry of Gender and Family Promotion screened some of the children and young adults detained in these centers and consistently followed standard procedures for referring victims to rehabilitation centers, child care institutions, or other facilities, such as the Iwawa Rehabilitation and Vocational Development Center, or for returning them to their families. The RNP, however, often discharged young people from the transit centers or transported them to remote districts with instructions not to return to Kigali, without screening for vulnerability to trafficking. The police also held some child victims of trafficking in detention at the transit centers, sometimes for weeks or months without being charged with a crime or interviewed in conjunction with an investigation. Due to inadequate screening, victims of trafficking could face time in prison or the Nyagatare Rehabilitation Center for unlawful acts committed as a result of being trafficked, although no cases were reported in 2011. The RNP distributed IOM handbooks on identifying and assisting victims of trafficking to judicial police officers, community police committees, and others, but procedures varied for proactive identification of victims of trafficking among high-risk groups, including women in prostitution. Beyond providing a stay of one month, the government did not provide foreign trafficking victims with legal alternatives to their removal to a country where they may face hardship or retribution.

## **Prevention**

The government maintained its anti-trafficking prevention efforts during the reporting period, but there continues to be a lack of understanding among the government and Rwandan society of the full scope of the country's human trafficking problem. Rwandan authorities have long recognized the problem of cross-border human trafficking, and in 2011 the government acknowledged for the first time the problem of internal sex trafficking and forced labor, specifically the widespread trafficking and abuse of child domestic servants. The Ministry of Public Service and Labor (MIFOTRA) raised public awareness of the worst forms of child labor through radio shows, television announcements, and skits. Police and immigration officials maintained strict border control measures as part of a strategy to prevent transnational child trafficking, although the government declined to provide statistics of how many children it prevented from leaving the country under suspicious circumstances. During the reporting period, local observers reported a decrease in the use of child labor in agriculture, resulting from vigorous police enforcement of a recent law mandating children attend 12 years of basic education. MIFOTRA's labor inspectors held monthly sensitization activities and quarterly trainings for employers and local authorities on child labor regulations. However, these 30 district labor inspectors were not numerous enough to fulfill their monitoring mandate, and the government did not provide them with adequate resources, including transport, to identify and prevent the use of exploitative child labor effectively. MIFOTRA continued to train all labor inspectors twice per year on how to identify and handle cases of child labor, including trafficking in persons. MIFOTRA made cash transfers to each district for the purpose of funding labor inspectors and combating child labor, but according to the ILO and other observers, district officials routinely reprogrammed those funds for other priorities. Every new immigration official

received training on passenger profiling, document verification, and other regulations, including the identification of victims of trafficking. The government introduced new border control procedure manuals for the airports and land borders, as well as specific written instructions guiding border officers in effective border control, such as identifying all forms of cross-border crimes, to include human trafficking. The government trained Rwandan troops on gender sensitivity and sexual exploitation prior to their deployment to UN peacekeeping missions abroad.